

Peter Gibbons (CBN: 196169)
Suite E
1805 North Carson Street
Carson City, NV 89701-1216
Telephone: 480-599-7876
LawDr1@lawdr.us
Attorney for MyMail, Ltd.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**EBATES PERFORMANCE
MARKETING, INC. d/b/a
RAKUTEN REWARDS and
CARTERA COMMERCE, INC.,**

Plaintiffs,

vs.

MyMail, Ltd.,

Defendant.

Case No.: 5:20-cv-04768-LHK

**Defendant's Notice of Correction
and Supplement to its Motion To
Dismiss the Complaint Under 28
U.S.C. § 2201 and FRCP Rule 4(k)**

**Defendant's Notice of Correction and Supplement to its Memorandum of
Law and addition of Exhibit B thereto in Support of Motion To Dismiss the
Complaint Under 28 U.S.C. § 2201 and FRCP Rule 4(k)**

On August 14, 2020, the Defendant in this action filed its Motion to Dismiss the Complaint (*Doc. #28*) along with supporting documents including a Memorandum of Law (*Doc. # 28-1*), a Declaration (*Doc. # 28-2*), Exhibit A thereto (*Doc. # 28-3*), and a Proposed order (*Doc. # 28-4*). Since filing those documents it has come to the attention of counsel that a mistake was made in the in the Memorandum of Law, and an exhibit was omitted.

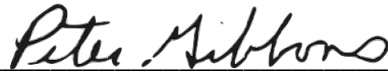
All references to the United States District Court for the Eastern District of Texas mentioned in the Memorandum of Law were incorrect. The correct court should have been the United States District Court for the Northern District of Texas.

1 Further, the Declaration of Christopher Michaels (*Doc. # 28-2*) makes reference
2 to Exhibit A and Exhibit B, yet only Exhibit A was filed with the Motion on August
3 14.

4 Therefore the revised Memorandum of Law and Exhibit B are filed herewith to
5 revise and supplement accordingly.

6 Respectfully submitted,

7 This, August 17, 2020
8
9

10 


11 Peter Gibbons
12 Attorney for MyMail, Ltd.
13 Law Office of Gibbons & Associates
14 1805 North Carson Street, Suite E
15 Carson City, Nevada 89701-1216
16 775-434-1856 Ph.
17 775-276-6927 Fax
18 LawDr1@lawdr.us
19
20
21
22
23
24
25
26
27
28

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I electronically filed the foregoing with the Clerk of the
3 Court for the United States District Court for the Northern District of California, by
4 using the court's CM/ECF system on August 17, 2020.

5 I certify that all participants in the case are registered CM/ECF users and that
6 service will be accomplished by the CM/ECF system.

7 Dated: August 17, 2020

8
9
10 
11 Peter Gibbons
12 Attorney for MyMail, Ltd.
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28